

Egyptian Regional Human Rights Authority
Meeting Minutes
July 22, 2014

The regular meeting of the Human Rights Authority (HRA) was held at Guardianship & Advocacy Commission, #7 Cottage Drive, Anna, IL. Chairperson Clarence Russell called the meeting to order at 5:25 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Clarence Russell, Jim Livesay, Sue Barfield, Pam O'Connor, Paul Jones, Al Farmer, Ginger McBride and Rebecca Lewey

Members Absent: Mary McMahan

Staff Present: Kim Conway

Guests: None

Minutes: Jim Livesay made a motion to approve the May 27, 2014 meeting minutes. Sue Barfield seconded and it carried.

Communications: Kim Conway informed the board members of a new merger between H Group and Centerstone from Tennessee and shared a thank you card from Judy Atherton for her departing gifts from the board. Kim Conway also introduced the two new board members, Ginger McBride and Rebecca Lewey and shared that Mary McMahan has been reappointed for another 3 year term.

Ratifications: Gabriel Martin's appointment to the board was ratified to indicate that he had declined the position and the board voted unanimously to offer it to Rebecca Lewey.

New Complaints:

15-110-9001 State Operated Mental Health Facility – Alleges that a recipient received inadequate treatment by not receiving fitness classes or therapy sessions after being admitted to the facility for fitness. Also alleges that an inadequate Office of Inspector General (OIG) investigative process occurred regarding an allegation of mental abuse. Sue Barfield made a motion to accept the case pending a release of information being received. Paul Jones seconded and it carried.

15-110-9002 State Operated Facility – Alleges that a recipient's privacy was violated, retaliatory action was taken against a recipient for filing an OIG complaint and that a recipient was placed on enhanced supervision without just cause. Sue Barfield made a motion to accept the case pending a release of information being received. Paul Jones seconded and it carried.

15-110-9003 Correctional Facility – Alleges that a recipient was denied visitation in the end stages of his life. Sue Barfield made a motion to accept the case pending additional information being received. Paul Jones seconded and it carried.

Other New Business: None

Unfinished Business: A motion was made by Jim Livesay to enter closed session at 5:50 p.m. Paul Jones seconded and it carried. The following summary of items was discussed in closed session: Case progress was reviewed for case # 14-110-9015. The draft reports were reviewed for cases #14-110-9009. Case closures were considered for cases #13-110-9010; 13-110-9029; 13-110-9030; 13-110-9034, 13-110-9035, 13-110-9038 and 14-110-9005. Jim Livesay made a motion to return to open session at 6:35 p.m. having taken no action in closed session, Al Farmer seconded and it carried.

Case Progress Reports:

14-110-9015 Choate Mental Health and Developmental Center – A site visit needs to be scheduled. Sue Barfield and Jim Livesay agreed to conduct the site visit. The case is still under investigation.

Report of Findings:

14-110-9009 Choate Mental Health and Developmental Center – The board reviewed the draft report of findings. No changes were suggested. Jim Livesay made a motion to approve the draft report as stated. Al Farmer seconded and it carried.

Case Closures:

13-110-9010 Choate Mental Health and Developmental Center – At the May 27, 2014 meeting, the HRA tabled closure and requested additional information from the facility in response to the HRA's report of findings. The additional information was provided and reviewed. The board had no further requests or concerns. Jim Livesay made a motion to close the case and make the report a part of the public record. Sue Barfield seconded and it carried.

13-110-9029 Choate Mental Health and Developmental Center – At the May 27, 2014 meeting, the HRA tabled closure and requested additional information from the facility in response to the HRA's report of findings. The additional information was provided and reviewed. The board discussed making an additional comment in the closure letter to the facility suggesting that a follow up appointment with a physician be made before discharging individuals. Sue Barfield made a motion to close the case and make the report a part of the public record. Paul Jones seconded and it carried.

13-110-9030 Choate Mental Health and Developmental Center - At the May 27, 2014 meeting, the HRA tabled closure and requested additional information from the facility in response to the HRA's report of findings. The additional information was provided and reviewed. The board had no further requests or concerns. Pam O'Connor made a motion to close the case and make the report a part of the public record. Ginger McBride seconded and it carried.

13-110-9034 Massac County School District – The board discussed the district's refusal to continue discussion with the HRA as a result of the HRA's request for additional information and clarification to their first response. The board also discussed referring the matter to other

agencies for enforcement action. Pam O'Connor made a motion to close the case, make the findings a part of the public record and refer the case to the U.S. Department of Education's Office of Civil Rights and the U.S. Department of Justice for possible enforcement action with copies of the HRA report of findings also being sent to the Illinois State Board of Education and the Massac County School Board for informational purposes. Sue Barfield seconded and it carried.

13-110-9035 Healthcare and Family Services (HFS) – The board reviewed the response to the HRA's report of findings and discussed additional information to be received prior to closure of the case. Kim Conway will draft a letter to HFS requesting additional information. Jim Livesay made a motion to table case closure to allow time for additional information to be received. Pam O'Connor seconded and it carried.

13-110-9038 Choate Mental Health and Developmental Center – No response to the report of findings was required and none was received. Pam O'Connor made a motion to close the case and make the findings a part of the public record. Jim Livesay seconded and it carried.

14-110-9005 H Group – No response to the report of findings was required but the H Group provided a letter in response that was reviewed. The board had no additional concerns. Jim Livesay made a motion to close the case and make the report a part of the public record. Rebecca Lewey seconded and it carried.

Other Unfinished Business:

Paul Jones left the meeting due to a conflict of interest in the remaining cases on the agenda. A motion was made by Pam O'Connor to re-enter closed session at 6:45 p.m. to discuss confidential information regarding case progress, draft reports and case closures involving Chester Mental Health Center. Sue Barfield seconded and it carried. The HRA returned to open session at 7:06 p.m. with a motion from Sue Barfield. Jim Livesay seconded and it carried. No action was taken in closed session. The following summary of items was discussed in closed session: Case progress was reviewed for Cases #13-110-9039; 14-110-9006; 14-110-9011; 14-110-9012, 14-110-9013, 14-110-9017, 14-110-9018, 14-110-9019 and 14-110-9020. Draft reports were reviewed for Cases #14-110-9007. Case closures were considered for Cases #13-110-9036, 13-110-9037, 13-110-9040, 13-110-9041, 14-110-9001 and 14-110-9002.

Case Progress Reports:

13-110-9039 - Chester Mental Health – On June 25, 2014 Kim Conway checked with the OIG on the status of their investigation regarding this same recipient and incident. Its investigation has not yet concluded. The HRA may need to review the outcome of the outside investigation before concluding the case since the allegation involves staff not preventing abuse from occurring. The case is still under investigation.

14-110-9006 Chester Mental Health - The chart review was completed and the records requested have been received. The HRA needs to interview the recipient's therapist. The case is still under investigation.

14-110-9011 Chester Mental Health - The chart review was completed. All records requested have been received. The case is ready for a report.

14-110-9012 Chester Mental Health - The chart review was completed. All records requested have been received. The case is ready for a report.

14-110-9013 Chester Mental Health - The chart review was completed. Staff interviews need to be conducted. The case is still under investigation.

14-110-9017 Chester Mental Health – The chart review needs to be completed. The case is still under investigation.

14-110-9018 Chester Mental Health – The chart review needs to be completed. The case is still under investigation.

14-110-9019 Chester Mental Health – The chart review needs to be completed. The case is still under investigation.

14-110-9020 Chester Mental Health – The chart review and interviews with staff needs to be completed. The case is still under investigation.

Reports of Findings:

14-110-9007 Chester Mental Health - The draft report was reviewed. The board had no changes. Sue Barfield made a motion to approve the draft report as stated and send it to the provider. Ginger McBride seconded and it carried.

Case Closures

13-110-9036 Chester Mental Health – No response to the report of findings was required and none was received. Jim Livesay made a motion to close the case and make the report a part of the public record. Al Farmer seconded and it carried.

13-110-9037 Chester Mental Health – The response from the facility was not received prior to the meeting but Kim Conway notified the board that the Administrator had been in contact with her to advise that it would be received soon. Rebecca Lewey made a motion to table case closure to allow more time for the facility to respond. Jim Livesay seconded and it carried.

13-110-9040 Chester Mental Health – No response to the report of findings was required and none was received. Jim Livesay made a motion to close the case and make the report a part of public record. Sue Barfield seconded and it carried.

13-110-9041 Chester Mental Health – No response to the report of findings was required and none was received. Jim Livesay made a motion to close the case and make the report a part of public record. Sue Barfield seconded and it carried.

14-110-9001 Chester Mental Health – No response to the report of findings was required and none was received. Jim Livesay made a motion to close the case and make the report a part of public record. Sue Barfield seconded and it carried.

14-110-9002 Chester Mental Health - The response from the facility was not received prior to the meeting but Kim Conway notified the board that the Administrator had been in contact with her to advise that it would be received soon. Rebecca Lewey made a motion to table case closure to allow more time for the facility to respond. Jim Livesay seconded and it carried.

Other Unfinished Business:

The next meeting is scheduled for 5:00 p.m. on September 23, 2014 at Shawnee Community College Main Campus, Ullin, IL.

Sue Barfield made a motion to adjourn the meeting at 7:08 p.m. Jim Livesay seconded and it carried.

Respectfully Submitted,
Pam O'Connor, Secretary